## IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION

ANGELA ELSTON,	)
Plaintiff,	)
v.	) Case No. 3:10-cv-468
MICHAEL J. ASTRUE, in his Capacity as COMMISSIONER OF SOCIAL SECURITY,	) ) Judge Thomas A. Wiseman, Jr. )
Defendant.	)

## **ORDER**

Before the Court is Plaintiff Angela Elston's Motion for Judgment on the Pleadings (Doc. No. 9), which the Court construes as a motion for judgment on the administrative record, seeking judicial review of the Commissioner's denial of her claim for Social Security Disability Insurance Benefits ("DIB") under Title II of the Social Security Act (the "Act"), on the grounds that the ALJ erred in rejecting the opinion of Plaintiff's treating physician and in discounting the credibility of Plaintiff's subjective complaints of disabling pain. She seeks reversal or, in the alternative, remand pursuant to sentence four of 42 U.S.C. § 405(g). In response to the motion, the Defendant Commissioner of Social Security asserts that the agency's decision denying benefits is supported by substantial evidence in the record and should be upheld.

The prior referral of this case to the Magistrate Judge is hereby **WITHDRAWN**. For the reasons explained in the accompanying Memorandum Opinion, the Court finds that the Commissioner's decision is supported by substantial evidence in the record. Plaintiff's motion is therefore **DENIED**, the Commissioner's underlying decision **AFFIRMED**, and this matter **DISMISSED**.

It is so **ORDERED**.

Thomas A. Wiseman, Jr. Senior U.S. District Judge